

## **REMARKS**

Claims 1-18 are the claims currently pending in the Application.

Claims 1, 2, 8, 14 and 18 are amended to clarify features recited thereby.

The amendments to the claims are fully supported by the Specification. By way of example, support for the amendments to independent claims 1, 8, 14 and 18 is found on page 13, lines 2-5, and support for the amendments to claim 2 can be found on page 11, lines 6-8.

### ***Formal Matters***

Applicant thanks the Examiner for acknowledging review and consideration of the Information Disclosure Statement filed on November 23, 2004.

### ***Rejection of Claims 1-18 under 35 U.S.C. § 103***

Claims 1-18 are rejected under 35 U.S.C. § 103 as being obvious from Bornstein, U.S. Patent No. 6,144,388, in view of Rose, U.S. Patent No. 5,930,769. This rejection is traversed.

For at least the following reasons, Applicant's claimed invention is neither anticipated by nor obvious from the cited references. By way of example, independent claims 1, 8, 14 and 18 require acquiring an image of a user of the Internet boutique system from outside thereof while adjusting the size of the image such that the face portion thereof just fits in an indicated frame.

Bornstein discloses retrieving a user image from a database and superimposing a picture of an article of clothing thereon (Bornstein, Abstract; column 2, line 48 - column 3, line

3); and displaying the user image with the superimposed picture of the article (Bornstein, Figs. 2B and 10A-B). Bornstein discloses that an operator manually adjusts the size of an image (Bornstein, col. 26, lines 10-15; Figs. 10A and 10B).

Bornstein does not disclose or suggest acquiring an image of a user of the Internet boutique system from outside thereof while adjusting the size of the image such that the face portion thereof just fits in an indicated frame, as *inter alia* required by independent claims 1, 8, 14 and 18. That is, Bornstein does not disclose or suggest that a system (or apparatus or instructions) that acquire an image of a user and adjust its size such that the face just fits a given parameter.

Since Bornstein does not disclose or suggest this feature, Bornstein is incapable of disclosing or suggesting adjusting the size of the image such that the face portion just fits in an indicated frame, as further required by independent claims 1, 8, 14 and 18. According to an aspect of Applicant's claimed invention, such an acquisition and adjustment of the user by the system (or apparatus or instructions) allows for an integrated shopping experience because with the portion of the image with the user's face fitted to a the frame, products that the user contemplates purchasing can be viewed accordingly. Bornstein and Rose do not disclose or suggest this solution to providing an integrated shopping experience.


Rose discloses receiving size data and user image data from the user and allowing the user to make a purchase (Rose, Abstract, column 3, lines 40-62). Rose discloses that sizes are entered in advance using "size and fit information" (Rose, Fig. 4); and that an adjustment is made based on previously entered sizes or photograph submitted by the user ("fashion data allows presentation of a projection...without having to try it on" Rose, col. 7, lines 6-17). Rose does not disclose or suggest acquiring an image of a user of the Internet boutique system from

outside thereof while adjusting the size of the image such that the face portion thereof just fits in an indicated frame, as *inter alia* required by independent claims 1, 8, 14 and 18.

Therefore, Bornstein and Rose, even taken together in combination as a whole, do not disclose or suggest the recitations of independent claims 1, 8, 14 and 18. Claims 2-7 depend from independent claim 1, claims 9-13 depend from independent claim 8, and claims 15-17 depend from independent claim 14. Therefore, claims 2-7, 9-13, and 15-17 incorporate novel and nonobvious features of their respective base claims and are patentably distinguishable over the prior art for at least the reasons that independent claims 1, 8, 14 and 18, respectively, are patentably distinguishable over the prior art.

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the Examiner reconsider the rejections and allow the Application. Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

  
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